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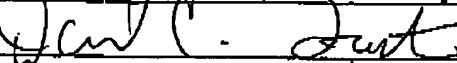
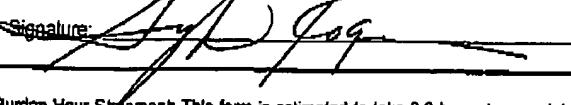
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PTO/SB/21 (6-99)

Approved for use through 09/30/2000, OMB 0551-0031

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/714,195
		Filing Date	November 14, 2002
		First Named Inventor	Joffre B. BAKER
		Group/Art Unit	1634
		Examiner Name	Sitton, Jehanne Souaya
Total Number of Pages in This Submission		39740-0005A	
<b>ENCLOSURES (check all that apply)</b>			
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Preliminary Amendment <input type="checkbox"/> After Final <input type="checkbox"/> Version With Markings Showing Changes <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Information Disclosure Statement with Form PTO-1449 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response To Missing Parts Under 37 CFR 1.52 Or 1.53 <input type="checkbox"/> Copy Of Notice	<input type="checkbox"/> Drawings	<input type="checkbox"/> After Allowance Communication to Group	
	<input type="checkbox"/> Statement under 3.73(b)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
	<input type="checkbox"/> Assignment	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
	<input type="checkbox"/> Copy of Combined Declaration for Patent Application and Power of Attorney	<input type="checkbox"/> Proprietary Information	
	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input checked="" type="checkbox"/> Additional Enclosure(s) <i>(please identify below):</i>	
	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Fax Cover Sheet	
	<input type="checkbox"/> Terminal Disclaimer		
	<input type="checkbox"/> Small Entity Status Claimed		
	Remarks		
	<b>AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT 08-1641 FOR ANY FEES DUE IN CONNECTION WITH THIS PAPER.</b>		
<b>SIGNATURE OF APPLICANT, ATTORNEY OR AGENT</b>			
Firm or Individual name	HELLER EHRMAN LLP 275 Middlefield Road, Menlo Park, California 94025		
Signature			
Date	November 9, 2005	Customer Number:	25213
<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b>			
I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office via Facsimile on <u>November 9, 2005</u> .			
Signature: 			

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	)	Examiner: Sitton, Jehanne Souaya
	)	
Joffre B. Baker	)	Art Unit: 1634
	)	
Application Serial No. 10/714,195	)	Attorney's Docket No. 39740-0005A
	)	
Filed: November 14, 2003	)	Customer No. 25213
	)	
For: <b>GENE EXPRESSION PROFILING</b>	)	
<b>OF EGFR POSITIVE CANCER</b>	)	
	)	
	)	

DATE MAILED: November 9, 2005

PRELIMINARY AMENDMENT

## MAIL STOP PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Dear Sir:

Prior to substantive examination of the above-identified patent application (which is filed concurrently herewith), and prior to calculation of the filing fee, Applicants respectfully request the entry of the following amendment.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 7 of this paper.

-1-

Preliminary Amendment  
Application Serial No. 10/714,195  
Attorney's Docket No. 39740-0005A